

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

US BANK NATIONAL ASSOCIATION)
AS LEGAL TITLE TRUSTEE FOR)
TRUMAN 2016 SC6 TITLE TRUST,)
)
Plaintiff,)
)
)
) 1:19-cv-00155-JDL
)
KATHLEEN M. KEEFER, et al.,)
)
)
)
Defendant.)

**ORDER ACCEPTING THE RECOMMENDED DECISION OF THE
MAGISTRATE JUDGE**

Plaintiff, US Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust (“US Bank”) asks this Court to hold (1) that the previously entered Order Granting Motion for Entry of Default (ECF No. 13) against Defendants Edward Keefer and Stephen R. Chapman should not be vacated despite the filing of a Second Amended Complaint (ECF No. 52) and (2) that service of the Second Amended Complaint is not required. United States Magistrate Judge John C. Nivison issued an Order to Show Cause (ECF No. 56) ordering Plaintiff “to show cause in writing why the order entering default should not be vacated and why Plaintiff should not be required to serve Defendants” with the Second Amended Complaint on March 8, 2022. ECF No. 56 at 1. Plaintiff responded on March 21, 2022 (ECF No. 57). Magistrate Judge Nivison filed his Recommended Decision on the Response to the Order to Show Cause with the Court on April 26, 2022 (ECF No.

58), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2022) and Fed. R. Civ. P. 72(b). The time within which to file objections has expired, and no objections have been filed. The Magistrate Judge provided notice that a party's failure to object would waive the right to de novo review and appeal.

I have reviewed and considered the Recommended Decision, together with the entire record, and have made a de novo determination of all matters adjudicated by the Magistrate Judge. I concur with the recommendations of the Magistrate Judge for the reasons set forth in his Recommended Decision and determine that no further proceedings are necessary.

It is therefore **ORDERED** that the Recommended Decision (ECF No. 58) of the Magistrate Judge is hereby **ACCEPTED**. The Plaintiff is not required to serve the second amended complaint on Defendants. The default (ECF No. 13) as to Defendants on the original complaint is **SET ASIDE** and **VACATED**.

SO ORDERED.

Dated this 6th day of June, 2022.

/s/ Jon D. Levy
CHIEF U.S. DISTRICT JUDGE